

Judge Benjamin H. Settle

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KATRINA GRAUMAN,

Defendant.

NO. CR08-5671BHS

GOVERNMENT'S SENTENCING
MEMORANDUM AND MOTION FOR
DOWNWARD DEPARTURE
PURSUANT TO U.S.S.G. § 5K1.1

I. INTRODUCTION

The United States of America, by and through Jennifer A. Durkan, United States Attorney for the Western District of Washington, and Bruce F. Miyake, Assistant United States Attorney for said District, files this sentencing memorandum.

KATRINA GRAUMAN is currently 19 years old. She has been diagnosed with a learning disability and many believe she is borderline mentally retarded. GRAUMAN met Ezekiel Hampton when she was 17 years old. She almost immediately fell in love with him because of the way he treated her. Soon after meeting him, GRAUMAN was recruited to begin working as one of Hampton's prostitutes. During the next six to nine months, GRAUMAN worked as a prostitute and gave all her earnings to Hampton. She also assisted him in selling cocaine and crack cocaine.

GRAUMAN is before this Court for sentencing on one count of Misprision of a Felony, in violation of Title 18, United States Code, Section 4. The government agrees with United States Probation's calculation of her advisory guideline range of 10 to 16

1 months imprisonment. As discussed further below, the government recommends a
2 sentence of time served to be followed by a period of three years of supervised release.

3 **II. BACKGROUND**

4 In June 2007, a confidential source had disclosed to the Tacoma Police
5 Department that Ezekiel Hampton was selling crack cocaine and in possession of a
6 firearm. According to the CS, Hampton would store the gun and drugs in a female's
7 purse.

8 In February 2008, members of FBI and the Lakewood Police Department
9 interviewed M.C., a fourteen year old runaway. M.C. told the agents that for a period of
10 time she worked for Ezekiel Hampton as a prostitute. M.C. identified several other girls
11 that Hampton was pimping, including KATRINA GRAUMAN, a/k/a Trina. M.C. stated
12 that she and the other girls posted ads on Craigslist.

13 The detectives followed up on M.C.'s information and found Craigslist ads for
14 KATRINA GRAUMAN using the name "Trina." Based upon the content of the ads it
15 was obvious that Ms. GRAUMAN was advertising sexual services.

16 In an unrelated investigation on June 24, 2008, the Tacoma Police Department
17 served two narcotic related search warrants: (1) Days Inn, Tacoma, Washington, and (2) a
18 residence located at 1928 Martin Luther King Way, Tacoma, Washington.

19 When the officers served the search warrant at the Days Inn, they located
20 GRAUMAN and Sonya McKay inside the hotel room. During a search of the room, the
21 officers located approximately 15.5 grams of crack cocaine. During the search of the
22 Martin Luther King Way residence, the officers located a purse containing a .25 caliber
23 handgun and 114.7 grams of cocaine. Hampton was also found at the residence and
24 arrested. While in custody at the Pierce County Jail, GRAUMAN was encouraged, and
25 did, write a statement taking responsibility of the cocaine and gun.

26 As a result, Hampton and GRAUMAN were charged in Pierce County Superior
27 Court with possession of cocaine with intent to deliver and a firearms offense. The
28 federal government agreed to adopt the case and eventually, Hampton and GRAUMAN

1 were charged in a First Superseding Indictment with Conspiracy to Engage in Sex
2 Trafficking, in violation of 18 U.S.C. § 371, Conspiracy to Distribute Cocaine and
3 Cocaine Base, in violation of 21 U.S.C. § 846, Possession of Cocaine with Intent to
4 Distribute, in violation of 21 U.S.C. § 841(a)(1), Possession of Cocaine Base with Intent
5 to Distribute, in violation of 21 U.S.C. § 841(a)(1); and Possession of a Firearm in
6 Furtherance of a Drug Trafficking Offense, in violation of 18 U.S.C. § 924(c).

7 Early on, the government had sought GRAUMAN's cooperation. Initially,
8 GRAUMAN rejected our request for cooperation. However, in February 2009, after
9 being arrested on a pretrial release bond violation, GRAUMAN agreed to cooperate with
10 the government against Hampton.

11 During our subsequent proffers, GRAUMAN described meeting Hampton through
12 a friend. Hampton acted interested in GRAUMAN and soon she fell in love with him.
13 Within days of meeting him, GRAUMAN moved in with Hampton and a couple of other
14 girls. GRAUMAN soon learned that the other girls were working as prostitutes for
15 Hampton. GRAUMAN was encouraged work as a prostitute for Hampton too. Because
16 she was so in love with Hampton and wanted to please him, GRAUMAN agreed.

17 GRAUMAN posted ads on Craigslist advertising her sexual services. All the
18 money she made from prostitution was given to Hampton who provided her a place to
19 live, food, drugs, and occasionally sexual favors. On a number of occasions, when
20 Hampton felt that GRAUMAN failed to do the work properly he would physically assault
21 her and/or threaten to kick her out of the house.

22 GRAUMAN also indicated that she assisted Hampton in his drug trafficking. He
23 would have her carry the drugs and gun in her purse in event they were arrested, he could
24 deny they were his. In addition to carrying the drugs, GRAUMAN assisted him in
25 packaging the drugs and delivering the drugs to customers. Any money she received
26 from the drug sales went directly to Hampton.

1 GRAUMAN admitted that the crack found in the Days Inn hotel room were
 2 Hampton's. She further admitted that the cocaine and gun found in the purse at their
 3 residence belonged to Hampton.

4 Given the government's view that GRAUMAN was victimized and controlled by
 5 Hampton, the government agreed to allow GRAUMAN to plead guilty to one count of
 6 Misprision of a Felony, in violation of 18 U.S.C. § 4.

7 **III. MOTION FOR DOWNWARD DEPARTURE**

8 KATRINA GRAUMAN pled guilty and has agreed to testify against Hampton. To
 9 date, she has provided several interviews and testified before the Grand Jury. Based upon
 10 her cooperation, the Government moves this Court for a downward departure pursuant to
 11 U.S.S.G. § 5K1.1.

12 Ezekiel Hampton's trial was scheduled to begin on June 26, 2009, but was
 13 continued to January 5, 2010. The government will call GRAUMAN as a witness in
 14 Hampton's upcoming trial.

15 **IV. RECOMMENDATION**

16 The government concurs with United States Probation's recommendation of 207
 17 days, which is essentially time served. The government recommends that any
 18 imprisonment be followed by three years of supervised release with the standard and
 19 special conditions recommended by the Probation. The government further recommends
 20 that upon GRAUMAN's release from custody that she participate in the Fare Start
 21 program and reside at either the YWCA or Youthcare.

22 DATED this 8th day of October, 2009.

23 Respectfully submitted,

24 JENNIFER A. DURKAN
 United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on October 8, 2009, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the attorney(s) of record for the defendant(s). I hereby certify that I have served the attorney(s) of record for the defendant(s) that are non CM/ECF participants via telefax.

s/JANET K. VOS
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